

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

3 EUGINE V. ELKINS,

4 Petitioner,

5 v.

6 JAMES KEY,

7 Respondent.

CASE NO. C16-5956BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

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9 This matter comes before the Court on the Report and Recommendation ("R&R")  
10 of the Honorable Karen L. Strombom, United States Magistrate Judge. Dkt. 9. The Court,  
11 having considered the R&R and the remaining record, and no objections having been  
12 filed, does hereby find and order as follows:

13 (1) The R&R is **ADOPTED**;

14 (2) Petitioner's petition for habeas corpus (Dkt. 4) is **DENIED** and  
15 **DISMISSED with prejudice**;

16 (3) A certificate of appealability is **DENIED**; and

17 (4) This case is closed.

18 Dated this 17<sup>th</sup> day of May, 2017.

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21 BENJAMIN H. SETTLE  
22 United States District Judge